



U.S. Department of Justice

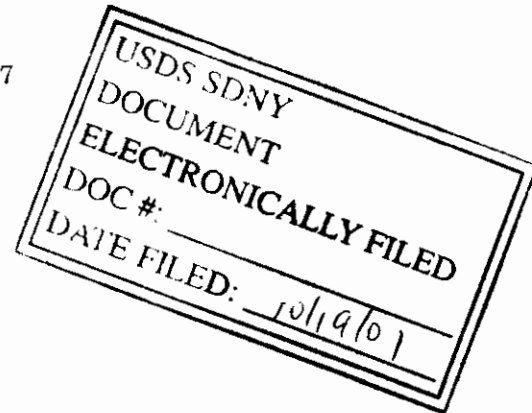
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 18, 2007

BY FAX

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007
Fax: 212 805-7925



Re: United States v. Frankie Torres, 07 CR 957 (RJS)

Dear Judge Sullivan:

The Government respectfully submits this letter requesting that the Court reschedule the October 19, 2007, arraignment and initial pre-trial conference in the above-captioned case to Wednesday, November 7, 2007. The defendant has been arrested twice since he was released, under the terms of a bond, after his federal arrest. He is currently detained at Riker's Island and the Government is unable to produce him for the conference scheduled for this Friday.

The Government also requests that time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*, until the arraignment and initial pre-trial Conference. This request is submitted with the consent of Mr. Torres' attorney.

*Arraignment adjourned to Nov. 7, 2007
at 10 AM.*

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

SO ORDERED
Dated: *10/18/07*

[Signature]
RICHARD J. SULLIVAN
U.S.D.J.

By *[Signature]*
Randall W. Jackson
Assistant United States Attorney
212-637-1029

cc: Anthony Ricco, Esq. (BY FAX)
Jamie Santana, Jr., Esq.